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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/709014
Filing Date	04/07/2004
First Named Inventor	Matthew J. Banet
Art Unit	3736
Examiner Name	Mallari, P
Attorney Docket Number	A-0003

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Non patent literature attached
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Matthew J. Banet		
Date		Reg. No.	40,902

CERTIFICATE OF TRANSMISSION/MAILING

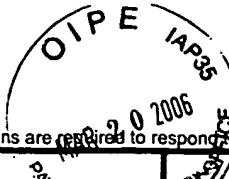
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

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Fees pursuant to the Consolidated Appropriations Act, 2005, P.L. 481B
Fee Transmittal
 For FY 2006

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
 180.00

Complete if Known

Application Number	10/709014
Filing Date	04/07/2004
First Named Inventor	Matthew J. Banet
Examiner Name	Mallari, P.
Art Unit	3736
Attorney Docket No.	A-0003

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity</u> <u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity</u> <u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity</u> <u>Fee (\$)</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Small Entity</u> <u>Fee (\$)</u>
Each claim over 20 (including Reissues)	180.00	50
Each independent claim over 3 (including Reissues)		200
Multiple dependent claims		360

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
- 20 or HP =	x	=		<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
- 3 or HP =	x	=		<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Supplemental Information Disclosure

\$180.00

SUBMITTED BY

Signature		Registration No. 40,902 (Attorney/Agent)	Telephone 858 427 4622
Name (Print/Type)	Matt Banet		Date 3-15-06

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Sheet 1 of 5

Complete if Known

Application Number	10/709,014
Filing Date	04/07/2004
First Named Inventor	Matthew Banet
Art Unit	3736
Examiner Name	Mallari, P
Attorney Docket Number	A-0003

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3412729	11/1/1968	Smith	
		US- 4063551	12/1/1977	Sweeny	
		US- 4080966	3/28/1978	McNally et al.	
		US- 4367752	1/11/1983	Jimenez et al.	
		US- 4380240	4/19/1983	Jobsis et al.	
		US- 4425920	1/17/1984	Bourland et al.	
		US- 4681118	7/21/1987	Asia et al.	
		US- 4777954	10/18/1988	Kuesch et al.	
		US- 4825879	5/2/1989	Tan et al.	
		US- 4846189	7/11/1989	Sun	
		US- 4869261	9/26/1989	Penaz	
		US- 4917108	4/17/1990	Mault	
		US- 5038792	8/13/1991	Mault	
		US- 5111817	5/1/1992	Clark et al.	
		US- 5178155	1/12/1993	Mault	
		US- 5179958	1/19/1993	Mault	
		US- 5213099	5/25/1993	Tripp, Jr.	
		US- 5237997	8/1/1993	Greubel et al.	
		US- 5309916	5/10/1994	Hatschek	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner Signature		Date Considered
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 5

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Application Number	10/709,014
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First Named Inventor	Matthew Banet
Art Unit	3736
Examiner Name	Mallari, P

Attorney Docket Number A-0003

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		Number-Kind Code ² (if known)			
		US- 5435315	7/25/1995	McPhee et al.	
		US- 5632272	5/27/1997	Diab et al.	
		US- 5727558	3/17/1998	Hakki et al.	
		US- 5743857	4/28/1998	Shinoda et al.	
		US- 5836300	11/17/1998	Mault	
		US- 5857975	1/12/1999	Golub	
		US- 5865755	2/2/1999	Golub	
		US- 5865758	2/2/1999	Louzianine	
		US- 5891042	4/6/1999	Sham et al.	
		US- 5921936	7/13/1999	Inukai et al.	
		US- 6004274	12/21/1999	Nolan et al.	
		US- 6013009	1/11/2000	Karkanen	
		US- 6176831	1/23/2001	Voss et al.	
		US- 6224548	5/1/2001	Gopinathan et al.	
		US- 6280390	8/28/2001	Akselrod et al.	
		US- 6334065	12/25/2001	Al-Ali et al.	
		US- 6371921	4/16/2002	Caro, et al.	
		US- 6432061	8/1/2002	Nissila et al.	
		US- 6443905	9/3/2002	Nissila et al.	

FOREIGN PATENT DOCUMENTS

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		Country Code ³ ~Number ⁴ ~Kind Code ⁵ (if known)				

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Sheet **3** of **5**

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		Number-Kind Code ² (if known)			
		US- 6443906	9/3/2002	Ting et al.	
		US- 6475146	11/5/2002	Freiburger et al.	
		US- 6475153	11/5/2002	Khair et al.	
		US- 6477397	11/5/2002	Ronkainen et al.	
		US- 6511436	1/28/2003	Asmar	
		US- 6514211	2/4/2003	Baura	
		US- 6527711	3/4/2003	Stivoric et al.	
		US- 6533729	3/18/2003	Khair, et al.	
		US- 6553247	4/22/2003	Rytky	
		US- 6556852	4/29/2003	Schulze et al.	
		US- 6571200	5/27/2003	Mault	
		US- 6595929	7/22/2003	Stivoric et al.	
		US- 6599251	7/29/2003	Chen et al.	
		US- 6605044	8/12/2003	Bimbaum	
		US- 6616613	9/9/2003	Goodman	
		US- 6645154	11/11/2003	Oka	
		US- 6645155	11/11/2003	Inukai et al.	
		US- 6652466	11/25/2003	Sugo et al.	
		US- 6678543	1/13/2004	Diab et al.	

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Sheet 4

of 5

Application Number	10/709,014
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Examiner Name	Mallari, P
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		Number-Kind Code ² (if known)			
		US- 6681454	1/27/2004	Modgil et al.	
		US- 6714804	3/30/2004	Al-Ali, et al.	
		US- 6723054	4/20/2004	Baruch et al.	
		US- 6740045	5/25/2004	Amano	
		US- 6775566	8/10/2004	Nissila et al.	
		US- 6808473	10/26/2004	Hisano, et al.	
		US- 6813511	11/2/2004	Diab, et al.	
		US- 6814705	11/9/2004	Kawaguchi	
		US- 6852083	2/8/2005	Caro, et al.	
		US- 6871084	3/22/2005	Kigsley et al.	
		US- 20040030261	2/12/2004	Rantala, Borje	
		US- 20040260186	12/23/2004	Dekker, Andreas Lubber	
		US- 6558321	5/6/2003	Burd et al.	
		US- 5485848	1/23/1996	Jackson et al.	
		US- 20020183627	12/5/2002	Nishii et al	
		US- 5002055	3/26/1991	Merki et al.	
		US- 6245014	6/12/2001	Brainard, II, Edward C	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

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		Filing Date	04/07/2004
		First Named Inventor	Matthew Banet
		Art Unit	3736
		Examiner Name	Mallari, P
Sheet	5	of	5
		Attorney Docket Number	A-0003

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	1	YANG, Boo-Ho et al., Cuff-Less Continuous Monitoring of Beat-To-Beat Pressure Using Sensor Fusion, submitted to IEEE Transactions on Biomedical Engineering		
	2	WEIJIA CUI, LEE E. et al., In Vivo Refectance of Blood and Tissue as a Function of Light Wavelength, submitted to IEEE Transactions on Biomedical Engineering, Vol. 37 No. 6		

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